

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

LUZ DELEON, for other J.D.,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 1:12-CV-1149

OPINION & ORDER
[Resolving Doc. No. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Luz Deleon, mother of J.D., a minor, challenges the final decision of the Commissioner of Social Security, denying J.D.'s claim for supplemental security income.^{1/} Specifically, Deleon says that the Administrative Law Judge's findings are not supported by substantial evidence and are premised on improper medical expert testimony.^{2/} This matter was referred to Magistrate Judge Burke pursuant to Local Rule 72.2. On May 8, 2013, Magistrate Judge Burke recommended that the Court affirm the Commissioner's denial of supplemental security income.^{3/}

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection.^{4/} Parties must file any objections to a Report and Recommendation within fourteen days of service.^{5/}

^{1/}Doc. [1](#).

^{2/}Doc. [13-1](#).

^{3/}Doc. [17](#).

^{4/}[28 U.S.C. § 636\(b\)\(1\)\(C\)](#).

^{5/}[Id.](#); [Fed. R. Civ. P. 72\(b\)\(2\)](#).

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Failure to object within this time waives a party's right to appeal the district court's judgment.^{6/}

Absent objection, a district court may adopt the magistrate judge's report without review.^{7/}

In this case, neither party has objected to the Magistrate Judge's recommendation. Moreover, having conducted its own review of the record and the parties' briefs in this case, the Court agrees with the conclusions of Magistrate Judge Burke.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Burke's Report and Recommendation and incorporates it fully herein by reference, and **AFFIRMS** the decision of the Commissioner of Social Security.

IT IS SO ORDERED.

Dated: July 24, 2013

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

^{6/}[*Thomas v. Arn*, 474 U.S. 140, 145 \(1985\); *United States v. Walters*, 638 F.2d 947, 949-50 \(6th Cir. 1981\).](#)

^{7/}[See *Thomas*, 474 U.S. at 149.](#)